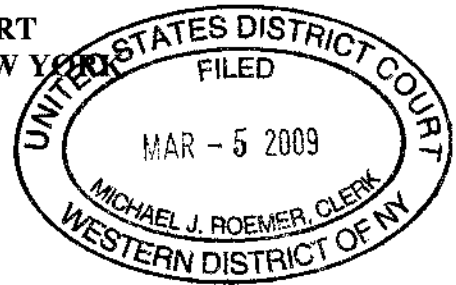


UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



Daniel E. Gill, Thomas C. McDermott,
and Jay T. Holmes,

Plaintiffs,

v.

Bausch & Lomb Supplemental Retirement
Income Plan I, Bausch & Lomb
Incorporated, and Compensation
Committee of the Bausch & Lomb Board
of Directors,

Defendants.

Civil Action No. 09-CV-6043 CJS

STIPULATION AND ORDER

WHEREAS, on January 29, 2009, Plaintiffs filed their Complaint, Civil Action No.: 09-CV-6043;

WHEREAS, on Thursday, February 12, 2009, counsel for Defendants notified Plaintiffs' Counsel that they would accept service on behalf of all Defendants and requested an extension of time to answer, move against, or otherwise respond to the Complaint;

WHEREAS, counsel for Plaintiffs and Defendants have agreed upon the following stipulation, subject to approval of the Court;

IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants, through their respective counsel, as follows:

(1) Defendants will answer, move against, or otherwise respond to the Complaint by Monday, March 30, 2009, 60 days from the filing of the Complaint.

(2) Plaintiffs will have until May 29, 2009, to oppose or otherwise respond, if necessary.

(3) Defendants will have 30 days from the date Plaintiffs' opposing papers are filed to file any reply papers.

Dated: February 25, 2009

Respectfully Submitted,

s/Heidi S. Martinez

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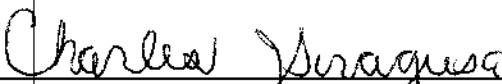
AND

s/Nicole A. Eichberger

Howard Shapiro (*pro hac vice pending*)
Nicole A. Eichberger (*pro hac vice pending*)
PROSKAUER ROSE LLP
650 Poydras Street, Suite 1800
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(504) 310-2022

Attorneys for Defendants

SO ORDERED this 3 day of Mar, 2009:



Honorable Charles J. Siragusa
United States District Judge